

**DELTA PROTECTION COMMISSION**

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**Agenda Item #15**

July 14, 2000

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Update on Proposed North Delta National Wildlife Refuge

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There has been no action by the U.S. Fish and Wildlife Service regarding the status of the "Environmental Assessment, Land Protection Plan, and Conceptual Management Plan", dated December 10, 1999.

Delta Protection Commission received a letter from Congressman Ose (June 20, 2000) describing a task force to be convened to address the concerns of the local communities (attached).

Delta Protection Commission received a copy of a memo from Yolo County Supervisor David Rosenberg (June 22, 2000) describing new developments and the integration of the Service's planning process with the Yolo Basin Foundations' locally-based planning process for planning for the Yolo Bypass (attached).

A July 11, 2000 Sacramento Bee editorial is also attached.

DOUG OSE  
THIRD DISTRICT, CALIFORNIA  
  
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BANKING AND FINANCIAL  
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June 20, 2000

Ms. Margit Aramburu  
Executive Director  
Delta Protection Commission  
14215 River Road  
Walnut Grove, California 95690

Dear Ms. Aramburu:

As you may have read in your local paper, I took action in Washington D.C. regarding the proposed North Delta National Wildlife Refuge planned for the Yolo Bypass.

The US Fish and Wildlife Service proposal would convert up to 47,500 acres in the Yolo Bypass into a wildlife refuge. As you know, the Yolo Bypass moves up to 500,000 cubic feet of water per second through Yolo, Solano, Sutter, Colusa and Sacramento counties when the Sacramento River is at flood stage.

Late last month, I introduced legislation that would have prevented the use of taxpayer resources to designate any land in the Yolo Bypass as a refuge. I did this for several reasons, many of which I outlined in a letter earlier this month.

First, flood control authorities have raised concerns that changing the use of the land in the bypass could result in diminishing its flood control capacity. The Yolo Bypass is a critical component of the flood control system that protects the lives and homes of thousands of Northern Californians. Putting our safety in jeopardy is simply not an option. Unless this concern is resolved, no refuge will be created.

Second, local officials have concerns that the US Fish and Wildlife Service is moving to designate the refuge before an Environmental Impact Study has been performed. It is difficult to assess the impacts to flood control, farmland conversion and economic impacts when the proposal is incomplete.

Finally, the potential loss of property tax revenue to the counties could be devastating to the ability of local government to adequately pay for schools, police and fire protection in those areas.

In months of consultation on this issue with interested parties in my district, almost everyone concurred on one common theme: this project is moving too fast, does not possess the appropriate data that is necessary to make informed decisions, and does not have a management plan.

On June 14<sup>th</sup>, Interior Appropriations Subcommittee Chairman Ralph Regula and I received assurances from both the ranking member of the committee, as well as from Jamie Rappaport Clark, Director of the Fish and Wildlife Service, that *no refuge would be designated in the bypass until all of the local concerns have been addressed and settled to our satisfaction.*

Subsequently, I agreed to remove my amendment from the legislation being considered in the House. This should in no way be construed as an endorsement of the proposed refuge. Rather, it came as a result of a commitment to assess the various unresolved issues before issuing any designation of a refuge.

To that end, I am forming a task force, comprised of local elected officials, water districts, representatives from the farming community, conservationists and flood control professionals from all impacted areas. Over the course of the next year, we will address the concerns of the local communities. Together, we will have a comprehensive discussion about the various concerns that have arisen as a result of this proposal.

This issue affects all of us living and working in Northern California. From Meridian in the North, to Rio Vista in the South, we are all at the same time threatened and enriched by the Sacramento River, its tributaries and release valves. The solution must not come by agency edict from Washington D.C., nor by one local jurisdiction acting independently of others. This issue demands a solution that comes from all of us in the impacted regions working together. I hope you will join me. If you have any additional questions, feel free to contact Julie Lillywhite, Deputy District Director, in my Woodland office, at (530) 669-3540.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Ose", with a stylized flourish at the end.

Doug Ose  
Member of Congress

## Memorandum

To: Board of Supervisors

From: Dave Rosenberg

Date: June 22, 2000

Re: Yolo Bypass

As you heard at the June 6 board meeting, the Yolo Bypass Management Strategy (Strategy) is progressing well and should be completed by late Fall 2000. The Strategy is being developed by the Yolo Bypass Working Group (Working Group), composed primarily of farmers, landowners, and duck club members with an interest in the Bypass. This "grassroots" approach to developing a consensus on the future of land use in the Bypass is based on that used to facilitate the creation of the Vic Fazio Yolo Wildlife Area. Active in this effort is the Yolo Basin Foundation.

First, I am pleased to report to you a positive development regarding the U.S. Fish and Wildlife Service's (USFWS) proposed North Delta National Wildlife Refuge (Refuge) and the potential integration of their refuge planning process with the stakeholder-driven Working Group. The Yolo Basin Foundation and the California Resources Agency have been working with the USFWS to develop the concept of the proposed North Delta National Wildlife Refuge in the context of the Yolo Bypass Working Group. In response, the USFWS has offered to join the Working Group as a stakeholder. The USFWS would sit at the stakeholders' table and seek to become an active participant in the development of a comprehensive Management Strategy for the entire Yolo Bypass. With the Strategy in place and the support of the Working Group, the USFWS would then move forward on its proposal to establish a boundary for the North Delta National Wildlife Refuge by adopting an alternative that reflects the recommendations of the Working Group.

The USFWS would be a part of all discussions, and actively work to unite its vision for the Refuge into the vision the stakeholders have for their private lands and livelihoods. The result of this encouraging request would be the integration and inclusion of a vision of the Refuge, into the Management Strategy document that the Working Group stakeholders are presently preparing. If this can occur, there stands a tremendous opportunity for the many of us; landowners, farmers, environmentalists, water users, natural resource and flood management trustees, local and regional leaders alike, to develop a coalition of interest groups supporting a unified vision of the Refuge.

Second, the California Resources Agency, which includes the Departments of Fish and Game, Water Resources, the Reclamation Board, and the Delta Protection Commission, has taken a strong interest in activity within the Yolo Bypass. They are very supportive of the Working Group (which includes the Department of Fish and Game and the Reclamation Board) and the plan to develop a comprehensive Management Strategy for the entire Yolo Bypass. In addition, they suggest that once the Strategy is developed, the appropriate federal, state, and local agencies work together to expand the existing Memorandum of Understanding (MOU) regarding the Vic Fazio Yolo Wildlife Area. In this manner, each interested party can ensure their issues of concern will be addressed.

In the interim, the Resources Agency recommends that any actions taken in the Yolo Bypass be in the context of this existing MOU and the Conceptual Area Plan (CAP) developed by State Fish and Game regarding management of the Vic Fazio Yolo Wildlife Area. For example, State Fish and Game (through the Wildlife Conservation Board) is working with willing landowners to potentially expand the existing Wildlife Area boundary in order to ensure sound management of the wildlife and protect the multiple uses of the Yolo Bypass.

Third, in the near future, the Yolo Basin Foundation will be contacting representatives from the Cities of West Sacramento and Davis inviting them to participate with the existing agricultural landowner stakeholders in the Working Group. In doing so, the circle of stakeholders in the Working Group will continue to expand as appropriate. As we know, the Foundation has proven very successful in the past in creating unique and effective groups of diverse stakeholders. I ask of my fellow Supervisors today that we continue to support their leadership in assisting the ongoing Working Group and the development of this important strategy for the entire Yolo Bypass.

Fourth, one of the issues of greatest concern to all stakeholders is maintenance of the flood control function of the Bypass. Any land use change should not negatively impact the flood carrying capacity. The Working Group, through consultants hired by the Yolo Basin Foundation, is currently working on a partnership to develop a hydraulic model that can be the basis by which proposed land use changes can be analyzed. The USFWS is interested in partnering with the Working Group to develop the model. Joining efforts ensures that the model will meet all needs and be developed in a timely manner. Support for the effort from the US Army Corps of Engineers and The Reclamation Board will be necessary. That support will be developed through the Working Group.

Fifth, discussions currently underway for a Memorandum of Agreement between Yolo County and the Service are progressing and should continue side by side with this new scenario.

The development of a locally driven Management Strategy for the Yolo Bypass presents a unique opportunity to create a vision of the future that fits the needs of all stakeholders. I am pleased that the USFWS and the State of California have shown an interest in working with the local community to create this vision. I recommend that the Board support:

1. The Yolo Bypass Working Group's efforts to develop a locally driven Management Strategy for the Yolo Bypass.
2. Participation of the US Fish and Wildlife Service and the Resources Agency in the Yolo Bypass Working Group as stakeholders.
3. Development of a hydraulic model for the Bypass through a locally based partnership.

# Rescuing the refuge

## Ose, feds seek common ground over Yolo floodway

**A** proposal to convert the Sacramento River flood bypass through southern Yolo County into a refuge for fish and birds may finally be taking flight. Settled, or so it seems, is a turf battle between the U.S. Fish and Wildlife Service and Rep. Doug Ose. That's good. The sooner the focus can switch from process to the actual project, the better.

The basic idea for this refuge seems sound. The Yolo bypass is farmland that in rainy winters is transformed into a wide river visible from the Interstate 80 causeway between Davis and Sacramento. South of that causeway, the bypass goes through privately owned

farmland until the bypass reaches the Sacramento-San Joaquin Delta near Rio Vista.

The bypass offers a crucial way to revive Delta wildlife. Refuge status opens the way to pay farmers to grow wildlife-friendly crops such as rice and corn. Other farmers tired of the flooding may wish to sell land to the Fish and Wildlife Service, which could then convert the lands back to prefarming habitat.

The Fish and Wildlife Service had vowed to address two major concerns raised by the project: Would financially strapped Yolo County be adequately compensated by the federal government if it buys farmlands and takes them off the tax rolls? (yes, says the agency); and would increasing habitat in the bypass diminish its ability to convey channel floodwaters? (no).

Understandably, Fish and Wildlife wanted to control the process that settled these questions. Likewise, Ose wanted control. He sought unsuccessfully to insert language into a bill that would have given only Congress the authority to designate this land as a refuge. But what matters is not who won that contest but that everyone – the agency, Ose and local groups – wins by working together to settle questions about money and flood protection before the refuge plan becomes reality.

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